

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TEAMSTERS LOCAL UNION NO. 727)	
HEALTH AND WELFARE FUND,)	
)	
Plaintiff,)	1:11CV6978
v.)	
)	Judge Holderman
MILLER ATM & SAFEMOVERS, INC.,)	
an Illinois Corporation,)	Magistrate Judge Keys
)	
Defendant.)	

MOTION FOR SUPPLEMENTAL JUDGMENT

NOW COME the Plaintiff and move this Honorable Court to enter a supplemental judgment on behalf of the Plaintiff and against Defendant on the basis that Plaintiff has completed an audit of the Defendant's books and records, see Exhibit "A", attached hereto, and that the audit disclosed total delinquencies of \$11,645.72, which amount included liquidated damages and interest, and payroll audit fees. In support of its Motion, Plaintiff states as follows:

1) That Plaintiff's action originally was filed for the purpose of auditing the Defendant's books and records in order to determine whether the Defendant is properly contributing to the Fund on behalf of its employees, as required by its collective bargaining agreement with Local 706, IBT.

2) That the Court entered an Order of Default, a copy of which is attached as Plaintiff's Exhibit "B", whereby Defendant was required to produce its books and records for purpose of audit.

3) That in order to enforce the Court's Order entered on November 17, 2011, it was necessary for Plaintiff to file Motion for Rule to Show Cause, and ultimately Motion for Body Attachment, both of which Motions were granted.

4) That the Defendant finally complied with the Court's Order and produced the documents required for completion of an audit of Defendant's books and records.

5) That the audit has been completed, and it was determined that Defendant was delinquent in its contributions as shown on Exhibit "A".

6) That subsequent to completion of the audit, Plaintiff's Counsel contacted the Defendant and requested payment of the deficiencies as determined by the audit, along with payment of the attorneys' fees incurred by the Plaintiff to date.

7) That Plaintiff's attorneys' fees and costs total \$4,750.00, as supported by the Affidavit of Robert B. Greenberg, attached hereto.

WHEREFORE, Plaintiff requests the following relief:

A. That judgment be entered forthwith against the Defendant and in favor of Plaintiff for the period January 1, 2008, through October 31, 2009, in the amount of \$16,375.72, which amount includes court costs and attorneys' fees.

B. For such other and further relief as the Court may deem just and proper, including reasonable attorney's fees and court costs which are sustained.

/s/ Robert B. Greenberg
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Dated: November 14, 2012